

AMENDED IN ASSEMBLY MARCH 22, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 131

Introduced by Assembly Member Beall
(Coauthors: Assembly Members Coto, Dymally, Hancock, Maze, and Mendoza)

January 12, 2007

An act to amend Sections 52378, 52379, and 52380 of the Education Code, relating to pupils, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 131, as amended, Beall. The Middle and High School Supplemental Counseling Program.

Existing law establishes the Middle and High School Supplemental School Counseling Program and requires the governing board of a school district that maintains any of grades 7 to 12, inclusive, as a condition of receiving funds appropriated for purposes of that program, to adopt a counseling program at a public meeting that includes, among other things, a provision for a counselor to meet with each pupil, as specified, to explain the academic and deportment records of the pupil, his or her educational options, the coursework and academic progress needed for satisfactory completion of middle or high school, and the availability of career guidance activities.

This bill would make the program available to county offices of education. The bill would also make conforming and other technical, nonsubstantive changes.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 52378 of the Education Code is amended
2 to read:
3 52378. The Middle and High School Supplemental Counseling
4 Program is hereby established for the purpose of providing
5 additional counseling services to pupils in grades 7 to 12, inclusive.
6 As a condition of receiving funds, the governing board of a school
7 district or county office of education maintaining any of grades 7
8 to 12, inclusive, shall do all of the following:
9 (a) Adopt a program at a public meeting of the governing board
10 that includes all of the following:
11 (1) A provision for individualized review of the pupil's academic
12 and deportment records.
13 (2) A provision for a counselor to meet with each pupil and if
14 practicable, the parents or guardian of the pupil, to explain the
15 academic and deportment records of the pupil, his or her
16 educational options, the coursework and academic progress needed
17 for satisfactory completion of middle or high school, passage of
18 the high school exit examination and the availability of career
19 technical education. The educational options explained at the
20 meeting, if services are available, shall include the college
21 preparatory program and vocational programs, including regional
22 occupational centers and programs, and any other alternatives
23 available to pupils within the district or county office of education.
24 (b) Identify pupils who are at risk of not graduating with their
25 class, are not earning credits at a rate that will enable them to pass
26 the high school exit examination, or do not have sufficient training
27 to allow them to fully engage in their chosen career, and do all of
28 the following:
29 (1) Require each school within its jurisdiction that enrolls pupils
30 in grades 10 and 12 to develop a list of coursework and experience
31 necessary to assist each pupil in those grades who has not passed
32 one or both parts of the high school exit examination ~~and~~ to
33 successfully transition to postsecondary education or employment.
34 (2) Require each school within its jurisdiction that enrolls pupils
35 in grade 7 to develop a list of coursework and experience necessary

1 to assist each pupil in grade 7 who is deemed to be at the far below
2 basic level in English language arts or mathematics pursuant to
3 California Standards Tests administered to pupils in grade 6 to
4 successfully transition to high school and meet all graduation
5 requirements, including passing the high school exit examination.

6 (3) Require each school within its jurisdiction to provide a copy
7 of the list of coursework and experience necessary to the pupil and
8 his or her parent or legal guardian. The school district or county
9 office of education shall ensure that the list of coursework and
10 experience is part of the cumulative records of the pupil.

11 (c) (1) Include in the list required pursuant to subdivision (b)
12 of coursework and experience for a pupil enrolled in grade 12
13 options for continuing his or her education if he or she fails to meet
14 graduation requirements. These options shall include, but not be
15 limited to, all of the following:

16 (A) Enrolling in an adult education program.

17 (B) Enrolling in a community college.

18 (C) Continuing enrollment in the pupil's school district.

19 (2) A copy of the list of coursework and experience necessary
20 shall be provided to the pupil and his or her parent or legal
21 guardian. The school district or county office of education shall
22 ensure that the list of coursework and experience is part of the
23 cumulative records of the pupil.

24 (d) Require each school within its jurisdiction to offer and
25 schedule an individual conference with each pupil, identified in
26 paragraphs (1) and (2) of subdivision (b), and his or her parent or
27 legal guardian, and a school counselor. The individual conference
28 shall be scheduled, to the extent feasible, according to the following
29 requirements:

30 (1) For a pupil enrolled in grade 7, the conference shall occur
31 before January of that school year in which the pupil is enrolled
32 in grade 7.

33 (2) For a pupil enrolled in grade 10, the conference shall occur
34 between the spring of that school year in which the pupil is enrolled
35 in grade 10 and the fall of the following school year in which the
36 pupil would be enrolled in grade 11. For the 2006–07 school year,
37 the conference shall occur on or before December 31, 2006.

38 (3) For a pupil enrolled in grade 12, the conference shall occur
39 after November of that school year in which the pupil is enrolled
40 in grade 12, but before March of the same school year.

(e) Require that the school counselor, during the individual conference described in subdivision (d), apprise the pupil identified in paragraphs (1) and (2) of subdivision (b) and his or her parent or guardian of the following:

(1) Consequences of not passing the high school exit examination.

(2) Programs, courses, and career technical education options available for pupils needed for satisfactory completion of middle or high school.

(3) Cumulative records and transcripts of the pupil.

(4) Performance on standardized and diagnostic assessments of the pupil.

(5) Remediation strategies, high school courses, and alternative education options available to the pupil.

(6) Information on postsecondary education and training.

(7) The pupil's score on the English language arts or mathematics portion of the California Standards Test administered in grade 6, as applicable.

SEC. 2. Section 52379 of the Education Code is amended to read:

52379. (a) Funds appropriated in the annual Budget Act for the purposes of this chapter shall be allocated to a school district or county office of education based on an equal amount per pupil enrolled in the district or county office programs in the prior fiscal year, based on the fall California Basic Educational Data System (CBEDS) enrollment data, in grades 7 to 12, inclusive, with the following ~~minimum-grant~~ *minimum grant* exceptions:

(1) Five thousand dollars (\$5,000) for each schoolsite that has 100 or fewer pupils enrolled in any of grades 7 to 12, inclusive.

(2) Ten thousand dollars (\$10,000) for each schoolsite that has between 101 and 200 pupils enrolled in any of grades 7 to 12, inclusive.

(3) Thirty thousand dollars (\$30,000) or an amount per pupil enrolled, whichever is greater, for each schoolsite with more than 200 pupils enrolled in any of grades 7 to 12, inclusive.

(b) Funds allocated pursuant to this section shall supplement, and not supplant, expenditures made by a school district or county office of education for school counseling programs.

1 (c) For purposes of this section, a charter school is not eligible
2 to receive a minimum grant but instead shall receive an amount
3 per pupil enrolled in grades 7 to 12, inclusive.

4 (d) Funds appropriated in the annual Budget Act for the purposes
5 of this chapter shall be used to provide supplemental counseling
6 services delivered by personnel who hold a valid pupil personnel
7 services credential.

8 SEC. 3. Section 52380 of the Education Code is amended to
9 read:

10 52380. As a condition of receipt of funds pursuant to this
11 chapter, a school district or county office of education shall submit
12 an annual report in a manner determined by the Superintendent
13 that describes the number of pupils served, the number of school
14 counselors involved in conferences, the number and percentage
15 of pupils who participated in conferences and who successfully
16 pass the high school exit examination, and the number and
17 percentage of pupils who participated in conferences and who fail
18 to pass one or both sections of the exit examination, and a summary
19 of the most prevalent results for pupils based on the graduation
20 plans developed pursuant to this chapter.

21 *SEC. 4. This act is an urgency statute necessary for the*
22 *immediate preservation of the public peace, health, or safety within*
23 *the meaning of Article IV of the Constitution and shall go into*
24 *immediate effect. The facts constituting the necessity are:*

25 *In order to ensure that county offices of education receive*
26 *funding pursuant to the Middle and High School Supplemental*
27 *Counseling Program at the earliest possible time to provide*
28 *appropriate counseling services to pupils enrolled in the middle*
29 *and high schools that they maintain, it is necessary that this act*
30 *take effect immediately.*